

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
NORTHERN DIVISION

CHESTER McCOY, BENJAMIN CAUSEY,
AND DeMARCUS HAILE, DANIEL HARRIS,
ANTYON GRAY, MARIO SPEECH, TERRELL
COOPER, RAFAEL ANDERSON, AND GENE
WOOLSEY, Individually And On Behalf
of Themselves And All Others
Similarly Situated

PLAINTIFFS

VS.

CIVIL ACTION NO. 3:17-cv-207(DCB)(LRA)

DEFENDERS, INC., d/b/a Protect
Your Home d/b/a Home Defender,
d/b/a True Home Security

DEFENDANT

ORDER

This cause is before the Court on the defendant Defenders, Inc.'s Motion to Dismiss or, Alternatively, to Strike Class Allegations (**docket entry 6**), and on Defenders, Inc.'s Motion for Judgment on the Pleadings (**docket entry 19**). On August 29, 2017, Magistrate Judge Linda R. Anderson filed a Text Order granting the plaintiffs' Motion to File First Amended Complaint, and the plaintiffs filed their Amended Complaint also on August 29, 2017.

In light of the Amended Complaint, the Court shall deny without prejudice the defendant's Motion to Dismiss or, Alternatively, to Strike Class Allegations, and shall also deny without prejudice the defendant's Motion for Judgment on the Pleadings, inasmuch as the prior Complaint has been superseded by the Amended Complaint. See Anderson v. USAA Cas. Ins. Co., 218 F.R.D. 307, 308 (D.D.C. 2003).

Accordingly,

IT IS HEREBY ORDERED that the defendant's Motion to Dismiss or, Alternatively, to Strike Class Allegations (**docket entry 6**), is DENIED AS MOOT, with leave to re-file;

FURTHER ORDERED that the defendant's Motion for Judgment on the Pleadings (**docket entry 19**) is DENIED AS MOOT, with leave to re-file.

SO ORDERED, this the 13th day of September, 2017.

/s/ David Bramlette
UNITED STATES DISTRICT JUDGE